

AMENDED IN SENATE APRIL 1, 2004

SENATE BILL

No. 1236

Introduced by Senator Murray

February 12, 2004

~~An act to amend Section 163 of the Streets and Highways Code, relating to transportation. An act to amend Sections 375, 25258, and 25950 of, and to add Section 24255 to, the Vehicle Code, relating to vehicles.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1236, as amended, Murray. ~~Transportation funds~~ *Lighting equipment.*

(1) *Existing law defines lighting equipment for purposes of the Vehicle Code.*

This bill would include within the definition of lighting equipment, an illuminating device that emits radiation predominantly in the infrared or ultraviolet regions of the spectrum, whether or not these emissions are visible to the unaided eye.

This bill would allow a vehicle to be equipped with a system to supplement the driver's visibility of the roadway to the front or rear of the vehicle during darkness, as specified.

(2) *Existing law specifies the color of lamps and reflectors on vehicles. Existing law requires that the emitted light from lamps and the reflected light from reflectors, visible from in front of a vehicle, shall be white or yellow, with certain exceptions.*

This bill would make an additional exception by requiring that an illuminating device described in paragraph (1) emit radiation predominantly in the infrared or ultraviolet regions of the spectrum, as specified.

(3) Existing law allows an authorized emergency vehicle to display a flashing white light from a gaseous discharge lamp designed and used for the purpose of controlling official traffic control signals.

This bill would prohibit, except for those emergency vehicles, a vehicle from being equipped with a device that emits any illumination or radiation that is designed and used for the purpose of controlling official traffic control signals.

(4) Under existing law, it is a crime to violate the Vehicle Code. By creating new requirements with respect to lighting equipment for vehicles, this bill would create a new crime and thereby impose a state-mandated local program.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

~~Existing law states the Legislature's intent to establish a policy for the use of all transportation funds that are available to the state, and requires the Department of Transportation and the California Transportation Commission to prepare fund estimates for annual expenditures for specified transportation purposes.~~

~~This bill would also state the Legislature's intent to establish priorities for the use of transportation funds.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 163 of the Streets and Highways Code~~

2 SECTION 1. Section 375 of the Vehicle Code is amended to
3 read:

4 375. "Lighting equipment" is any of the following lamps or
5 devices:

6 (a) ~~Any~~ A headlamp, auxiliary driving, passing, or fog lamp,
7 fog taillamp, taillamp, stoplamp, supplemental stoplamp, license
8 plate lamp, clearance lamp, side marker lamp, signal lamp or
9 device, supplemental signal lamp, deceleration signal device,
10 cornering lamp, running lamp, red, blue, amber, or white warning

1 lamp, flashing red schoolbus lamp, side-mounted turn signal lamp,
2 and schoolbus side lamp.

3 (b) ~~Any~~ An operating unit or canceling mechanism for turn
4 signal lamps or for the simultaneous flashing of turn signal lamps
5 as vehicular hazard signals, and ~~any~~ an advance stoplamp switch.

6 (c) ~~Any~~ A flasher mechanism for turn signals, red schoolbus
7 lamps, warning lamps, the simultaneous flashing of turn signal
8 lamps as vehicular hazard signals, and the headlamp flashing
9 systems for emergency vehicles.

10 (d) Any equipment regulating the light emitted from ~~any~~ a
11 lamp or device or the light sources therein.

12 (e) ~~Any~~ A reflector, including reflectors for use on bicycles,
13 and reflectors used for required warning devices.

14 (f) *An illuminating device that emits radiation predominantly*
15 *in the infrared or ultraviolet regions of the spectrum, whether or*
16 *not these emissions are visible to the unaided eye.*

17 SEC. 2. Section 24255 is added to the Vehicle Code, to read:

18 24255. (a) *A vehicle may be equipped with a system to*
19 *supplement the driver's visibility of the roadway to the front or rear*
20 *of the vehicle during darkness. This system may incorporate an*
21 *illuminating device that emits radiation predominantly in the*
22 *infrared or ultraviolet regions of the spectrum and a display*
23 *monitor to provide an image visible to the driver of the vehicle. The*
24 *system, or any portion of it, shall not obstruct the vision of the*
25 *driver, and shall not emit any glaring light visible in any direction*
26 *or to any person.*

27 (b) *The system shall be operated only with the headlamps*
28 *lighted. An illuminating device for the system shall be interlocked*
29 *with the headlamp switch so that it is operable only when the*
30 *headlamps are lighted.*

31 SEC. 3. Section 25258 of the Vehicle Code is amended to read:

32 25258. (a) An authorized emergency vehicle operating under
33 the conditions specified in Section 21055 may display a flashing
34 white light from a gaseous discharge lamp designed and used for
35 the purpose of controlling official traffic control signals.

36 (b) An authorized emergency vehicle used by a peace officer,
37 as defined in Section 830.1 of, subdivision (a), (b), (c), (d), (e), (f),
38 (g), or (i) of Section 830.2 of, subdivision (b) of Section 830.31
39 of, subdivision (a) or (b) of Section 830.32 of, Section 830.33 of,
40 subdivision (a) of Section 830.36 of, subdivision (a) of Section

1 830.4 of, or Section 830.6 of, the Penal Code, in the performance
2 of the peace officer's duties, may, in addition, display a steady or
3 flashing blue warning light visible from the front, sides, or rear of
4 the vehicle.

5 *(c) Except as provided in subdivision (a), a vehicle shall not be*
6 *equipped with a device that emits any illumination or radiation*
7 *that is designed and used for the purpose of controlling official*
8 *traffic control signals.*

9 SEC. 4. Section 25950 of the Vehicle Code is amended to read:

10 25950. This section applies to the color of lamps and to any
11 reflector exhibiting or reflecting perceptible light of 0.05 candela
12 or more per foot-candle of incident illumination. Unless provided
13 otherwise, the color of lamps and reflectors upon a vehicle shall
14 be as follows:

15 (a) The emitted light from all lamps and the reflected light from
16 all reflectors, visible from in front of a vehicle, shall be white or
17 yellow, except as follows:

18 (1) Rear side marker lamps required by Section 25100 may
19 show red to the front.

20 (2) The color of foglamps described in Section 24403 may be
21 in the color spectrum from white to yellow.

22 (3) *An illuminating device, as permitted under Section 24255,*
23 *shall emit radiation predominantly in the infrared or ultraviolet*
24 *regions of the spectrum. An incidental visible light projecting to*
25 *the front of the vehicle shall be predominantly yellow to white. An*
26 *incidental visible light projecting to the rear of the vehicle shall be*
27 *predominantly red. An incidental visible light from an illuminating*
28 *device, as permitted under Section 24255, shall not resemble any*
29 *other required or permitted lighting device or official traffic*
30 *control device.*

31 (b) The emitted light from all lamps and the reflected light from
32 all reflectors, visible from the rear of a vehicle, shall be red except
33 as follows:

34 (1) Stoplamps on vehicles manufactured before January 1,
35 1979, may show yellow to the rear.

36 (2) Turn signal lamps may show yellow to the rear.

37 (3) Front side marker lamps required by Section 25100 may
38 show yellow to the rear.

39 (4) Backup lamps shall show white to the rear.

(5) The rearward facing portion of ~~any~~ a front-mounted double-faced turn signal lamp may show amber to the rear while the headlamps or parking lamps are lighted, if the intensity of the light emitted is not greater than the parking lamps and the turn signal function is not impaired.

(6) ~~Reflectors~~ A reflector meeting the requirements of, and installed in accordance with, Section 24611 shall be red or white, or both.

(c) All lamps and reflectors visible from the front, sides, or rear of a vehicle, except headlamps, may have any unlighted color, provided the emitted light from all lamps or reflected light from all reflectors complies with the required color. Except for backup lamps, the entire effective projected luminous area of lamps visible from the rear or mounted on the sides near the rear of a vehicle shall be covered by an inner lens of the required color when the unlighted color differs from the required emitted light color. Taillamps, stoplamps, and turn signal lamps that are visible to the rear may be white when unlighted on vehicles manufactured before January 1, 1974.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

~~is amended to read:~~

~~163. The Legislature, through the enactment of this section, intends to establish a policy and priorities for the use of all transportation funds that are available to the state, including the State Highway Account, the Public Transportation Account, and federal funds. For the purposes of this section, "federal funds" means any obligational authority to be provided under annual federal transportation appropriations acts. The department and the commission shall prepare fund estimates pursuant to Sections 14524 and 14525 of the Government Code based on the following:~~

1 ~~(a) Annual expenditures for the administration of the~~
2 ~~department shall be the same as the most recent Budget Act,~~
3 ~~adjusted for inflation.~~

4 ~~(b) Annual expenditures for the maintenance and operation of~~
5 ~~the state highway system shall be the same as the most recent~~
6 ~~Budget Act, adjusted for inflation and inventory.~~

7 ~~(c) Annual expenditure for the rehabilitation of the state~~
8 ~~highway system shall be the same as the most recent Budget Act,~~
9 ~~or, if a long-range rehabilitation plan has been enacted pursuant to~~
10 ~~Section 164.6, it shall be based on planned expenditures in a~~
11 ~~long-range rehabilitation plan prepared by the department~~
12 ~~pursuant to Section 164.6.~~

13 ~~(d) Annual expenditures for local assistance shall be the~~
14 ~~amount required to fund local assistance programs required by~~
15 ~~state or federal law or regulations, including, but not limited to,~~
16 ~~railroad grade crossing maintenance, bicycle transportation~~
17 ~~account, congestion mitigation and air quality, regional surface~~
18 ~~transportation programs, local highway bridge replacement and~~
19 ~~rehabilitation, local seismic retrofit, local hazard elimination and~~
20 ~~safety, and local emergency relief.~~

21 ~~(e) After deducting expenditures for administration, operation,~~
22 ~~maintenance, local assistance, safety, and rehabilitation pursuant~~
23 ~~to subdivisions (a), (b), (c), and (d), and for expenditures pursuant~~
24 ~~to Section 164.56, the remaining funds shall be available for~~
25 ~~capital improvement projects to be programmed in the state~~
26 ~~transportation improvement program.~~